

**MINUTES**

**P & Z COMMISSION HEARING  
May 20, 2004**

**ATTENDANCE  
P & Z Commissioners**

**ATTENDED**

1. John Dalton, Chairman
2. Ruth Ann Smith
3. Micah Lomaomvaya
4. Wendell DeCross
5. Roy Solomon
6. Drew Shumway

**ABSENT**

Tommy Joe  
Gary Nelson  
Bob Bailey

**Staff Attendance**

1. David Ashton, Director of Development Services
2. Lissa Davis, Planner II
3. Richard Young, Deputy Director of Public Works
4. Mary Bradley, Secretary

Meeting held at the Board of Supervisors Chambers, Holbrook, Arizona - Time 6:07 p.m.

John Dalton called the meeting of the Navajo County Planning & Zoning Commission to order, and explained the meeting procedures to the public. Mr. Dalton welcomed our new Planning & Zoning Commissioner Ruth Ann Smith to the meeting. Mr. Dalton then led the Pledge of Allegiance.

Item # 1 **SPECIAL USE PERMIT**: Discussion and possible Commission action on a request by **Robert C Carlson** to allow for the continued use as a construction contractor yard on the subject property, APN: 211-11-012N & P in Township 9 North, Range 23 East, Section 9 of the Gila and Salt River meridian, the Porter Mountain area. **Lissa Davis** indicated that this is an Amendment to a Special Use Permit and then gave a history of the project and presented maps showing the general area and the site plan. On June 11, 2001, the Board of Supervisors granted a Special Use Permit to the applicant via Resolution No. 43-01. One condition of approval was that the Special Use Permit be valid for three years, at which time the applicant would be required to obtain a new permit. Since the approval date, staff has not received any code violation complaints and inspections show the applicant has complied with the stipulations. Staff has not received any comments in favor or opposition. Ms. Davis indicated that stipulations number one and two are new, and that stipulations three through six are the same as the original Special Use Permit. Staff recommends approval with stipulations. **Robert Carlson** is the applicant and he was in attendance. Mr. Carlson explained that he is the owner of the property and updated the commission on improvements that he has done since the time of the last Special Use Permit. **No one came forward to speak in favor or opposition regarding this matter.** **Drew Shumway** questioned the amount of traffic this would generate. **Robert Carlson** explained about the vehicle he uses for his small business which is his personal truck, a service truck and a backhoe, and that all of his work is done off site. **Lissa Davis** explained that any expansion of the use would require an Amendment of the Special Use Permit. A motion was made by **Wendell DeCross** to approve the Special Use Permit with the stipulations stated by staff. **RECOMMENDED STIPULATIONS: 1. This Special Use Permit shall be valid only for the current owner of the land. 2. The applicant shall submit, in writing, an annual report stating that all stipulations are being met. The report shall be due on the anniversary date of approval by the Board of Supervisors. 3. The permitted Special Use shall be allowed to occur only in the location shown on the approved site plan. Any expansion of the Special Use shall require and amendment to this Permit. 4. All vehicles kept on the property shall be operable. 5. All vehicles, construction equipment, supplies and materials shall be placed behind a nontransparent fence or wall six feet in height. 6. Applicant shall take measures to minimize damage to and manage dust control of local roads resulting from the conveyance of equipment and vehicles.** **Drew Shumway** seconded the motion. Motion unanimously carried.

Item # 2 **SPECIAL USE PERMIT**: Discussion and possible Commission action on a request by **Michael Mazich** to allow a Mini-Storage facility on the subject property, APN: 212-23-001B in Township 9 North, Range 22 East, Section 23 of the Gila and Salt River meridian, the Lakeside area. **Lissa Davis** gave a history of the project and presented maps showing the general area and the site plan. Ms. Davis indicated that they had received two letters in opposition. Ms. Davis

indicated that the Public Works Department did not have any objections. Staff recommends approval with stipulations but request that stipulation number 7 be removed since this would create an undue financial burden on the applicant.

**Richard Young** said that the Public Works Department would like stipulation number one to be reworded to read "Prior to the issuance of any building permits, an engineered site plan, including a drainage plan shall be submitted to, and approved by, the County before it goes to the Board of Supervisors." **Michael Mazich** is the owner of the property and he was not in attendance. **Tony Martins** is the agent and he was in attendance. Mr. Martins presented the commission with photos of the property and a site plan, which he drew up himself. Mr. Martins addressed most of Planning & Zoning stipulations. Mr. Martins indicated that the turn-around radius to accommodate the cars is 25 feet and they would use compacted cinders for the driveway. Mr. Martin indicated on the map where they are planning to make it a one-way drive. The entrance and the exit from the property would be through two 16-foot electronically operated gates off the Frontage Road that parallels Highway 260. The Frontage Road currently ends in front of Lot D, and will need to be extended across the front of Lots B & C to allow access to the property (showed the commission on the map). The gates would be electronically operated and the entrance would be by security code keypad, so that they could prevent entry after hours. Their plans call for an operated facility during normal daylight business hours and anyone that needs access to the mini storage facility could contact them through special arrangement outside normal hours. On the issue of the lighting they will be using sodium lighting on poles for security and the rest of the lights would have motion sensors. Mr. Martins indicated that they had made accommodations for a water retention area for drainage and this could very well be increased for additional run off. They anticipate the construction would only take about 60-days. The impact of this project on the surrounding area should be minimal, as there is very little traffic in and out of self-storage facilities when near capacity occupancy has been achieved. There should be minimal impact to surrounding residential properties located to the rear of the project with the solid fencing and setback requirements. Mr. Mazich explained how the lot is a fire hazard with the dead trees, and how it is littered with trash, and how vagrants use the back corner as a sleeping area. **James Fugate** spoke in favor of this action and indicated that he resides on Lot 176. Initially he said that he was concerned with the hours of operation and the lighting but his biggest concern was the drainage. Mr. Fugate stated that he wanted to make sure that the retention pond is sufficient to retain the water and the developer had addressed some of his previous concerns. **John Otis** spoke in support of the project and indicated that there is a market place for mini storage facilities. **Ruth Setzer** spoke in opposition and indicated that she is concerned with the lighting and would like an on site manager due to the possibility of vandalism. Ms. Setzer commented that there are other storage units in the vicinity and a possibility of an over saturation of them. Ms. Setzer said that ten years from now this would not be an enhancement to the property. Ms. Setzer also expressed concern on the entrance of the property and is concerned with the issue of safety pertaining to this. Ms. Setzer also addressed the maintenance of Frontage Road. **Chuck Setzer** reiterated his wife concerns pertaining to the entrance on Frontage Road. Mr. said that he is not sure that this is the route to take to on how to get the lot cleaned up. **Sonny Deskin** spoke in opposition and said that he resides within 300' of the project. Mr. Deskins expressed concern on about the entrance and the exit of the applicant's property. He asked if there would be any other exits and entrances than the one shown. Mr. Deskin also expressed his concern regarding the issue of the traffic and how this would generate more dust. **Robert McDaniel** spoke in opposition and indicated that the traffic was also a concern for him. Mr. McDaniel indicated that the entrance and exit on Frontage Road are issues as well as the dust this would generate. **Renee Barraza** spoke in opposition and had concern with her signage for her business and her personal parking spaces for her business. Ms. Barraza also had concerns with the entrance to the mini storage and the traffic. Ms. Barraza referred to her CC&R's. **Tony Martins** said the majority of these items are road issues in which they need to contact the County Public Works Department. Mr. Martin indicated that they are proposing building 70-72 storage units and the turn over rate is approximately 9 per cent. Mr. Martin explained that this is about one tenant per week moving in and one tenant moving out. Mr. Martin reiterated his previous response about there being very little traffic. Mr. Martin said that this is a Frontage Road and all the concern about traffic where they come in and these curb cuts are access for the road, and they are not for access to any individual business or residence along the area. They have spoken to the State about a curb cut (indicated on the map the location) and there is a possibility that it could be done, but it is problematic because of the utilities being located there and the elevation changes. Mr. Martin said that a curb cut is probably not required for the number of vehicles accessing this facility. In reference to security there is no access since the entire facility would be fenced. **Richard Young** displayed the County maintained road map. Mr. Young explained that the County only maintains a portion of Frontage Road and said that the County would not do anything to improve the road and it is up to them to if they decide to make any improvements. Mr. Young also said that a number of the issues that were raised were concerned with the construction and maintenance of the road; this would be referred to the Public Works Department. Mr. Young reiterated his earlier comments that the Public Works Department would like stipulation number one to be reworded to read "Prior to the issuance of any building permits, an engineered site plan, including a drainage plan shall be submitted to, and approved by, the County before it goes to the Board of Supervisors." **Roy Solomon** asked about the setbacks from the first door to the gate and was concerned that this could possibly be a safety issue. **Dave Ashton** commented that the applicant could have the gates recessed back 15' to 30'. **Wendell DeCross** questioned if someone wanted to rent a unit where would they park. Mr. DeCross commented that it looks like they are getting a congestion of storage units in the

vicinity and he was not in favor of this. **Tony Martins** addressed the question about parking by saying that they would have signage with their telephone number on it. **John Dalton** commented that the commission couldn't dictate where people wanted to build if they meet the County's zoning requirements. Mr. Dalton also indicated that he felt that the parking issue was a valid concern and needs to be addressed. Mr. Dalton stated that the mini storage unit facility is low impact and he felt that this would be a good place for it. **Roy Solomon** reminded the commission that this is zoned correctly for this use and he is still concerned with the issue of the parking. Mr. Solomon said that could be addressed with an engineered site plan. **Lissa Davis** suggested that they could add a stipulation addressing the issue of the short-term parking. A motion was made by **Drew Shumway** to approve the Special Use Permit with the changes stated by staff. **RECOMMENDED STIPULATIONS:** *1. Prior to the issuance of any building permits, an engineered site plan, including a drainage plan shall be submitted to, and approved by, the County. 2. Signs are to conform to the Navajo County Sign Ordinance. 3. Signs must be posted within the facility prohibiting the storage of hazardous and flammable materials. 4. Property must be fenced and screened. 5. Security gating and/or on-site management must be provided. 6. Width between units to be a minimum of 25-feet. 7. The buildings and structures shall utilize earth tone colors. 8. Provide a twenty-foot landscape buffer area on the northeast property line to residential zone. 9. All stipulations shall be met within a twelve-month period following Board of Supervisors approval. Failure to do so will result in review by the Board for possible revocation of the Special Use Permit. 10. Provisions shall be made for short term parking to be provided at the office entrance.* **Roy Solomon** seconded the motion. Motion carried with **Drew Shumway**, **Roy Solomon**, **Ruth Ann Smith**, **John Dalton**, and **Micah Lomaomvaya** voting in favor of the motion and **Wendell DeCross** voting against the motion.

Item # 3 **SPECIAL DEVELOPMENT ZONE CHANGE WITH CONCEPTUAL SITE PLAN:** Request by **William Rawlings** for a Zone Change from C-R (Commercial-Residential) to Special Development along with a Conceptual Master Site Plan for APN: 212-07-025 D & J, T9N, R22E, Section 9, in the Wagon Wheel area. **Dave Ashton** gave a history of the project and presented maps showing the general area and the site plan. Mr. Ashton indicated this would allow for the development of a subdivision with different lot sizes. Comments from the Flood Control Division are that there are no known drainage or flooding concerns that would preclude the proposed zone change for this proposed. However, no information was submitted in support of the site plan and there is no indication of how drainage will be handled. A Drainage report and drainage design will be required for the Tentative Plat submittal. The development may require on-site drainage improvements and may require off-site drainage improvements. Mr. Ashton indicated that the concept being proposed by the applicant is in keeping with the goal of Navajo County to encourage Special Developments as a method to have some control over the type of growth in the County. The Conceptual Master Development Plan submitted to the P&Z Commission is not intended to be used for the platting process but is an overall site plan. During the platting process, Public Works Department concerns regarding drainage, roads, etc., will be addressed. Staff recommends approval with stipulations. **Williams Rawlings** is the applicant and he was in attendance. Mr. Rawlings indicated that they own the property to the North and West, the pond and the corner all the way around the five acres. Mr. Rawlings said that they are building a park to the North approximately where L-6 is (showed on map). Their plan is to use where it says Tract C (indicated on map) to create drainage off of that road to flow into the pond. Mr. Rawlings said that presently the pond is being used as a well and the pond is being transferred in deed or legal description into a non-use to the piece of property. Mr. Rawlings said that the reason that they are applying for this is because they want to sell portions of these homes. Mr. Rawlings said that they would control what type of homes and size of home that would be built there. **No one came forward to speak in favor or opposition regarding this matter.** **Richard Young** stated that he agreed with the first four stipulations stated by the Development Services Department. A motion was made by **Roy Solomon** to approve the Special Development Zone Change With Conceptual Site Plan with the stipulations stated by staff. **RECOMMENDED STIPULATIONS:** *1. All technical requirements of the Subdivision Regulations shall be met before approval of the Tentative Plat. Variances shall be requested in accordance with Section 4.12 and justified. 2. Sufficient off-road drainage easements shall be made available to accommodate major drainage as required. 3. Drainage structures, including detention or retention pond(s), shall be proposed with the Final Plat. 4. The access to Wagon Wheel Lane is specifically for emergency or auxiliary use. However, if this access becomes primary the Developer will be required to contribute a proportionate share of the future traffic signal installation at the intersection of Wagon Wheel Lane and SR 260, as based on this project generating approximately 200 vehicle trips per day. 5. The Zone Change/Conceptual Master Development Plan approval is conditional upon the submittal of the Tentative Plat to the Planning & Zoning Commission, along with the above stipulations, within 24 months of the date of approval of this Conceptual Master Development Plan by the Board of Supervisors. In the event all the above conditions are not met, this approval shall be automatically revoked and the zone change shall revert back to A-General. This condition shall be conclusively deemed to have been satisfied unless the Board of Supervisors causes a notice of revocation to be recorded in the Office of the Navajo County Recorder within 30 days after the expiration of the 24-month period (or any extension thereof).* **Ruth Ann Smith** seconded the motion. Motion carried with **Drew Shumway**, **Roy Solomon**, **Ruth Ann Smith**, **John Dalton**, and **Micah Lomaomvaya** voting in favor of the motion and **Wendell DeCross** voting against the motion.

Item # 4 **TENTATIVE PLAT and MASTER PLAN**: Discussion and possible Commission action on a request by **Canyon Vista Properties, L.L.C.** for approval of the Master Plan and Tentative Plat for the Canyon Vista Estates Subdivision, located on APN: 204-08-012D/F/H, T12N – R22E - Section 31 of the Gila and Salt River Meridian, in the Shumway area, Navajo County, Arizona. **Dave Ashton** gave a history of the projects and presented maps showing the general area and the site plan. Mr. Ashton stated that he would like to present the Tentative Plat and Master Plan as one item and vote on the Resolution as such. The Tentative Plat is resubmitted due to the developer creating 59 parcels versus the 31 originally approved on November 20, 2003. The Master Plan is revised to show the 21 acres recently purchased to the west. The Tentative Plat is complete and is correct as to form; the Master Plan is required when the size is greater than 40 acres; the proposed use is allowed within the zoning district and should compliment the local area. Development Services recommends conditional approval of the proposed Tentative Plat and Master Plan with stipulations. Mr. Ashton stated that the Public Works Engineering Department has given seven concerns (this was included in their staff report to the commissioners). **Richard Young** interjected that comment number one would not change for the Tentative Plat but would change the Master Plan since it would add approximately 700 vehicles per day on Shumway Road. Mr. Young indicated the Board of Supervisors would hold a public hearing to establish an Improvement District. Mr. Young was very adamant in saying that Public Works Department could not use County money (such as county gas tax or county general fund money) for improving anything other than a declared County Highway. Mr. Young explained that in order for it to be a declared a County Highway the Board of Supervisors must find the road is a public necessity and they are served by the road being a County Highway. Mr. Young also indicated that they would not make any recommendations in favor or denial in reference to the variances section 3.7A4 and 3.20. Mr. Young indicated that Public Works Department recommendation would be conditional upon the Improvement District being established (referred to stipulation 2). The Flood Control Department indicated that there is no drainage or flooding concerns that would preclude the proposed changes to the most recently submitted Revised Tentative Plat. However, the drainage report will have to be revised to reflect the higher density of development and part, or all, of one or more lots may be needed for the detention basin proposed in the Preliminary Drainage Report. **John Otis** is the agent for the development and he was in attendance. Mr. Otis said that they are working on the projections for the Improvement District and would have the preliminary information on how long it would take to build the road and the cost. Mr. Otis said that they would break it down in three segments, the existing pavement, and the parts of the pavement through out the hill all the way to state land and from Camazar state land to Bourdon Ranch Road. Mr. Otis indicated that they would like to have them formalize the plat and submit their plat for final approval, and have that final approval contingent upon them fixing Shumway Road (via Improvement District). **Wendell DeCross** asked why the secondary access was waived and what was the intent of the regulation. Mr. DeCross stated that the regulation says that there should be two entrances and two exits. **Richard Young** reiterated his previous response about the second access (they would not make any recommendations in favor or denial in reference to the variances section 3.7A4 and 3.20). **John Murphy** is with the company Murphy Engineering Group and is their engineer. Mr. Murphy indicated on the map and explained that this frontage is the only frontage on this piece of property on Shumway Road. To bring this up here far enough that it would actually create a secondary access it would make them run about a mile road, which the developer would be willing to do (indicated on the map). In reference to maintaining this road Mr. Murphy commented that in 5 to 10 years from now this road would be just as impassable as it would be today and there would be no mechanism to keep this road maintained. They felt that a better way to handle this would be an emergency access is to widen the entrance road, have double lanes and if there is an accident in that area, they could bring all the traffic over on one side to get them in and out of the subdivision. Mr. Murphy explained that the owner of Canyon Vista had signed a petition and has tried to get the Improvement District for Shumway Road in place. They are in the process working with the County and are trying to determine what the boundaries are. Mr. Murphy said if the commission places a stipulation on them stating that they cannot move forward with this development until the Improvement District is in place then they (County) may be losing a golden opportunity for Shumway Road to ever be improved. They understand that Shumway Road needs to be improved to support the traffic, and would prefer if they could work out some sort of stipulation. If they could move forward on the planning on the subdivision, this gives these developers the mechanism to improve Shumway Road. Mr. Murphy went onto say without this you would see lot splits with no mechanism to monitor Shumway Road. Mr. Murphy indicated that they are anticipating acquiring right-of-way powers and are hoping to work out an agreement with the property owners and condemnation would be a last resort. Mr. Murphy asked the commission to please let the Board of Supervisors make this decision regarding whether the Final Plat would not be approved until the Improvement District is in place. **John Dalton** said that he believes that an off site Improvement District must be formed and meets this requirement and if the Board of Supervisors want to change this it is up to them. Mr. Dalton indicated that all they are doing is recommending this and the Board of Supervisors can change it if they want to. **Roy Solomon** indicated that he had several concerns and agreed with Mr. DeCross about the lack of the two exits. Mr. Solomon then went to say that this could possibly be resolved with widening of the lanes. Mr. Solomon said that the Road Improvement District would be their largest obstacle in both directions (east and west). Mr. Solomon agreed with Mr. Murphy that this is a golden opportunity for

them to develop the road. Mr. Solomon advised the developer that if they went to these landowners and let them know that this is an opportunity for all of them to get together with the County to make an Improvement District and make this road into something they would and their grandchildren would not be complaining about, then they might have a chance. Mr. Solomon said that one of his biggest concerns was the grade of the hill in Shumway and they need to have a standard to build Shumway Road to. **John Otis** asked the commission to let them get far enough along so that they could get these issues resolved. Mr. Otis indicated that his investors want this to be wrapped up by this summer and if it isn't then this golden opportunity will go away. The County would be left with the property owners selling the property or doing lot splits and then they would have the density and traffic problems and no mechanism to address it. Mr. Otis said that they would need to get this to final approval contingent on certain things happening. **Drew Shumway** said that he would like for this to succeed, but he feels like they are putting the cart before the horse. After much discussion and massaging on how to word his motion **Roy Solomon** made a motion to approve the Master Plan and Tentative Plat with the following stipulations. **RECOMMENDED STIPULATIONS:** *1. All outstanding engineering concerns shall be resolved to the satisfaction of the County Engineer before the Final Plat and Master Plan are submitted to the Board of Supervisors. 2. A traffic impact analysis shall be completed which details all the required off site improvements, specifically the improvement of Shumway Road, and these shall be financially assured prior to submittal to the Board of Supervisors. An off site improvement district may be formed that would meet this requirement, but it should be formed prior to final plat submittal to the Board. 3. A variance to Section 8.3.A.9 should be requested for 24-foot pavement width with the recommendation to consider pedestrian traffic in the design. 4. The Tentative Plat approval is conditional upon all subdivision improvements being substantially completed within 24 months after the date of the Final Plat recordation (or any extension thereof which may be granted by the Board of Supervisors, as evidenced by the recordation of a resolution of extension in the Office of the Navajo County Recorder). If the improvements are not substantially completed within 24 months or any extension thereof, the approval shall be automatically be revoked and the Final Plat shall be deemed unapproved. This condition shall be conclusively deemed to have been satisfied unless the Board of Supervisors causes a notice of revocation to be recorded in the Office of the Navajo County Recorder within 30 days after the expiration of the 24-month period (or any extension thereof).* **Drew Shumway** seconded the motion. Motion carried with **Drew Shumway**, **Roy Solomon**, **Ruth Ann Smith**, **John Dalton**, and **Micah Lomaomvaya** voting in favor of the motion and **Wendell DeCross** voting against the motion citing his reasons that he doesn't think making an ingress/egress wider compensates for the intent of the regulation. Mr. DeCross said that the commission should not be looking out after a developer who might be at risk of losing his investment.

Item # 5 **AMENDMENT TO THE NAVAJO COUNTY ZONING ORDINANCE:** Discussion and possible Commission action on a request by the Navajo County Development Services Department to amend the Navajo County Zoning Ordinance, by clarifying Article 3(302)(13) and (304); Article 4(18)(a); Article 20(2001)(6) and (2002)(1); Article 25(2508)(1),(2); and adding uses requiring a Special Use Permit to 2001(28-40) \*PULLED\*

Item # 6 **Possible approval of April 15, 2004 Minutes.** A motion was made by **Drew Shumway** to approve the minutes. **Micah Lomaomvaya** seconded the motion. Motion unanimously carried.

Item # 7 Commissioners' comments and/or directions to staff. Commissioners may use this time to offer additional comments regarding any item on this agenda or any other topic; and the Commission may direct Development Services Department staff to study or provide additional information on topics of the Commissions' choosing.

With there being no further business to come before the Planning and Zoning Commission, the meeting was adjourned at 10:05 p.m. **Ruth Ann Smith** made a motion to adjourn. **Micah Lomaomvaya** seconded the motion. Motion unanimously carried.

NOTE: a copy of the agenda background material provided to the Commission Members (with exception of material relating to possible executive sessions) is available for public inspection at the Development Services Office, Navajo County Complex, Holbrook, Arizona, Monday through Friday, 8:00 a.m. to 5:00 p.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Chairman, Navajo County  
Planning & Zoning Commission

ATTEST:

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Secretary, Navajo County  
Development Services